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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/916,934	07/27/2001	Odd N. Oddsen JR.	INNOFF 3.0-006 DIV	9122
530	7590	10/22/2003	EXAMINER	
LERNER, DAVID, LITTENBERG, KRUMHOLZ & MENTLIK 600 SOUTH AVENUE WEST WESTFIELD, NJ 07090			HONG, JOHN C	
			ART UNIT	PAPER NUMBER
			3726	12
DATE MAILED: 10/22/2003				

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application N .

09/916,934

Applicant(s)

ODDSEN, ODD N.

Examiner

John C. Hong

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-23 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-23 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_.
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_ 6) ☐ Other: \_\_\_\_.

## **DETAILED ACTION**

### ***Allowable Subject Matter***

1. Prosecution on the merits of this application is reopened on claims 1-23 are considered unpatentable for the reasons indicated below:

### ***Specification***

2. The disclosure is objected to because of the following informalities:

Figures 20-23 are not described in the brief description of the drawings. Furthermore, only Figures 1-19 are mentioned in the "Detailed Description of the Invention".

Appropriate correction is required.

### ***Claim Rejections - 35 USC § 102***

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1-16, and 19-23 are rejected under 35 U.S.C. 102(b) as being anticipated by Sasse (U.S. Patent 5,903,991).

Sasse discloses a method of assembling a bracket from a (kit including) plurality of components (col. 1, lines 55-60) for mounting a device to a supporting surface (ground) , the method comprising: providing a plurality of components adapted to be assembled into a plurality of brackets each of a different configuration (Fig. 9, 10A-10E) , at least one of the components comprising a shaft holder (70) having an opening formed therein adapted to removably support the device (Fig. 2) , at least one of the brackets adapted to be assembled from less than all of the

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components (Figs 9, 10A-10E) , selecting one of the configurations of the plurality of brackets, selecting a plurality of the components for assembly into the selected bracket configuration, and assembling the selected plurality of the components including at least the shaft holder into the selected bracket configuration; the components comprise a threaded member (88; Fig. 4) , a first member (32; Fig. 2) having a first flange (66) and a second flange (64) generally perpendicularly attached to the first flange, and a second member (24) having a 3<sup>rd</sup> flange (46) and a 4<sup>th</sup> flange (64) generally perpendicularly attached to the 3<sup>rd</sup> flange ; the assembly step comprises attaching the shaft holder to the first member using the threaded member (Fig. 4) ; and attaching the second member to the first member (Fig. 2) ; the components include a clamping plate (82) having an opening, the assembly step comprising attaching the threaded member to the shaft holder with the threaded member extending through the opening in the clamping plate (82; Fig. 4) ; the assembly step comprises attaching all of the components together in assembling the bracket; and the bracket comprises a mount selected from the group consisting of a clamp mount (Fig. 4), a wall mount (Fig. 3B) and a flat mount (Fig. 3A). ***Claim Rejections - 35 USC § 103***

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 8, 17 and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sasse.

Sasse teach the limitations as claimed above with the exception of the shaft holder is adapted to receive an extension arm for supporting an electronic device thereto.

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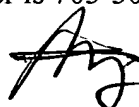
It has been considered that the device of Sasse does not preclude the usage of the device for receiving an extension arm for supporting an electronic device thereto.

It would have been obvious to one of ordinary skill in the art at the time of the invention was made to utilize the device of Sasse for receiving an extension arm for supporting an electronic device thereto, if so desired.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to John C. Hong whose telephone number is 703-305-0779. The examiner can normally be reached on M-F(07:00-16:30)First Friday Off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Greg Vidovich can be reached on 703-308-1513. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-1148.



John C. Hong  
Primary Examiner  
Art Unit 3726

jh  
October 19, 2003